

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

INTERSTATE CHEMICAL CO., INC,)	
Plaintiff,)	
vs.)	2:13cv1298
)	Electronic Mail
INGRAM BARGE CO., and T.T.)	
COATINGS, INC.,)	
Defendants.)	

MEMORANDUM ORDER

Plaintiff, Interstate Chemical Company, Inc., commenced this action on September 5, 2013. The case was referred to United States Magistrate Judge Robert C. Mitchell for pretrial proceedings in accordance with Magistrate Judges Act, 28 U.S.C. § 636(b)(1) and Local Rules of Court 72.C and 72.D.

The Magistrate Judge's Report and Recommendation [ECF No. 29], filed on March 25, 2014, recommended that Defendant T.T. Coatings, Inc.'s Motion to Dismiss for Lack of Jurisdiction and Improper Venue be denied and Defendant Ingram Barge Company's Motion to Dismiss for Improper Venue, or in the Alternative, to Transfer be granted. Service of the Report and Recommendation was made on all counsel of record. The parties were informed that in accordance with the Magistrate Judges Act, 28 U.S.C. § 636(b)(1)(B) and (C), and Local Rule of Court 72.D.2, they had until April 8, 2014 to file any objections. No objections have been filed.

After a *de novo* review of the pleadings and documents in this case, together with the Report and Recommendation, and pleadings thereto, the following order is entered:

AND NOW this 14th day of April, 2014,

IT IS HEREBY ORDERED that Defendant T.T. Coatings, Inc.'s Motion to Dismiss for Lack of Jurisdiction and Improper Venue [ECF No. 15] is DENIED.

IT IS FURTHER ORDERED that Defendant Ingram Barge Company's Motion to Dismiss for Improper Venue, or in the Alternative, to Transfer the Amended Complaint [ECF No. 24] is GRANTED.

IT IS FURTHER ORDERED that this action be transferred forthwith to the United States District Court for the Eastern District of Louisiana pursuant to 28 U.S.C. § 1406(a).

IT IS FURTHER ORDERED that the Report and Recommendation of Magistrate Judge Robert C. Mitchell is hereby adopted as the Opinion of the District Court.



David Stewart Cercone
United States District Judge

cc: Honorable Robert C. Mitchell
United States Magistrate Judge
Kevin C. Harkins, Esquire
Leah R. Imbrogno, Esquire
Todd M. Powers, Esquire
Stephen M. Larzelere, Sr., Esquire.

(Via CM/ECF Electronic Mail)